

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE: \* CASE NO.: 08-02016-SEK  
\*  
CARLOS ALBERTO GONZALEZ RIVERA \*  
\*  
DEBTOR (S) \* CHAPTER 12  
\*\*\*\*\*

**\* MOTION SUBMITTING CHAPTER 12 PLAN \***

**TO THE HONORABLE COURT:**

Comes now debtor represented by the undersigned attorney and set forth follows:

1. On April 2, 2008 debtor filed the above captioned petition. Attached is plan dated July 1, 2008.

**WHEREFORE**, debtor pray this Honorable Court allow the plan.

**\* NOTICE TO ALL CREDITORS AND PARTIES IN INTEREST \***

Notice is hereby given that debtor filed with the Clerk of the Court the attached plan dated July 1, 2008.

The Chapter 12 Trustee, creditors, and all parties in interest have twenty day to file an objection to the modified plan and request a hearing.

**CERTIFY:** I hereby certify that copy of this motion and to plan was mailed to José R. Carrión, Trustee; and to all creditors listed in the master address list.

In Coamo, Puerto Rico, this 7 day of July 2008.

S/JORGE RAFAEL COLLAZO SANCHEZ  
ATTORNEY FOR DEBTOR  
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IN RE: CARLOS ALBERTO GONZALEZ RIVERA  
DEBTOR(S)

BK. CASE No. 08-02016-SEK  
CHAPTER 12

### CHAPTER 12 PAYMENT PLAN

**NOTICE:** • The following plan contains provisions which may significantly affect your rights. You should read this document carefully and discuss it with your attorney. When confirmed, the plan will bind the debtor and each creditor to its terms. Objections must be filed in writing with the Court and served upon the debtor(s), debtors' counsel, the Trustee and any other entity designated by the Court, at the 341 meeting of creditors or not less than twenty (20) days prior to the scheduled confirmation hearing. For post confirmation Plan Modifications, objections must be filed and notified in the same manner within twenty (20) days from its notification. • This plan does not allow claims. Any party entitled to receive disbursements from the Trustee must file a proof of claim. The Trustee will pay the allowed claims, as filed, provided for in the plan, unless disallowed or expressly modified by the Court and / or the terms of the plan. If no claim is filed, the Trustee will not pay a creditor provided for in the plan, unless ordered by the Court. If the Trustee is to make POST-PETITION REGULAR PAYMENTS to any Secured obligation, then a proof of claim must be filed including the following information: account number, address, due date and regular payments amount. Secured creditor must notify any change in the payment, at least three (3) months prior to the effective date of new payment. Those post-petition payments will not exceed the life of the plan. • See the notice of commencement of case for 341 meeting date and claims bar date, the latter is the date by which a proof of claim must be filed in order to participate of the plan distribution.

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.
- ☒ 3. The Confirmation Order will not vest property of the Estate on Debtor(s) until the Order discharging Debtor(s) is entered.

PLAN DATED: JULY 1, 2008

☒ PRE ☐ POST-CONFIRMATION

☐ AMENDED PLAN DATED:

FILED BY ☐ DEBTOR ☐ TRUSTEE ☐ OTHER

#### I. PAYMENT PLAN SCHEDULE

\$ 200	x	60	= \$ 12,000.00
\$	x		= \$ 0
\$	x		= \$ 0
\$	x		= \$ 0
\$	x		= \$ 0
TOTAL = 60			\$ 12,000.00

Additional Payments:

\$ 33,000.00 to be paid as a LUMP SUM  
within 36 MONTHS with proceeds to come from

☒ Sale of property identified as follows:  
3 LOTS OF 600 s/m at BO  
RONCADOR, UTUADO PR

☐ Other:

Periodic Payments to be made other than and in addition to the above:

\$5,000.00 x 1 = \$5,000 on 10/31/08  
\$10,000.00 x 1 = \$10,000 on 12/31/08

To be made on: \$15,000 x 4 each following  
10/31 and \$20,000 x 4 each following 12/31

PROPOSED BASE: \$ 200,000.00

#### II. ATTORNEY'S FEES

To be treated as a § 507 Priority, and paid before any other creditor and concurrently with the Trustee's fees, unless otherwise provided:

a. Rule 2016(b) Statement:	\$ 3,000
b. Fees Paid (Pre-Petition):	(\$ 1,000)
c. R 2016 Outstanding balance:	\$ 2,000
d. Additional Fees:	\$
e. Adjusted Fee Balance:	\$

Signed: Carlos A. Gonzalez  
DEBTOR

JOINT DEBTOR

#### III. DISBURSEMENT SCHEDULE SEQUENCE

- A. SECURED CLAIMS: ☐ Debtor represents that there are no secured claims.  
☐ Secured creditors will retain their liens and shall be paid as follows:

☐ ADEQUATE PROTECTION Payments: Cr. \$

☒ Trustee will pay secured ARREARS:

Cr. USDA	Cr. USDA	Cr.
Acct. #12	Acct.	Acct.
\$ 23,510	\$ 2,623	\$

☐ Trustee will pay REGULAR PAYMENTS:  
(please refer to the above related notice, for important information about this provision)

Cr.	Cr.	Cr.
Acct.	Acct.	Acct.
PMT \$	PMT \$	PMT \$

☒ Trustee will pay IN FULL Secured Claims:

Cr. USDA #11	Cr. USDA #12	Cr. USDA
\$ 2,975	\$ 58,775	\$ 13,115

☐ Trustee will pay VALUE OF COLLATERAL:

Cr.	Cr.	Cr.
\$	\$	\$

☐ Secured Creditor's interest will be insured. INSURANCE POLICY will be paid through plan:

Cr. Ins. Co. Premium: \$  
(Please indicate in "Other Provisions" the insurance coverage period)

☒ Debtor SURRENDERS COLLATERAL TO Lien Holder: SHARES TO COOP LARES

☒ Debtor will maintain REGULAR PAYMENTS DIRECTLY to:

A.S.U.M.E.

B. PRIORITIES. The Trustee will pay §507 priorities in accordance with the law [§1222 (a)(2)].

☒ A.S.U.M.E. #4

C. UNSECURED PREFERRED: Plan ☐ Classifies ☒ Does not Classify Claims

<input type="checkbox"/> Class A: <input type="checkbox"/> Co-debtor Claims: <input type="checkbox"/> Pay 100% / <input type="checkbox"/> Pay Ahead	
<input type="checkbox"/> Class B: <input type="checkbox"/> Other Class: <input type="checkbox"/> Pay 100% / <input type="checkbox"/> Pay Ahead	
<input type="checkbox"/> Cr. \$	<input type="checkbox"/> Cr. \$

D. GENERAL UNSECURED NOT PREFERRED: (Case Liquidation Value = \$ 78,147.)

☐ Will be paid 100% plus % Interest. ☒ Will be paid Pro-Rata from any remaining funds

OTHER PROVISIONS:

AFTER THE 5 YEARS OF THE PLAN DEBTOR WILL PAY DIRECTLY  
USDA'S LOAN UNTIL FULL PAYMENT OF THE CLAIM, TRUSTEE  
SHALL PAY ON DECEMBER 31, OF EACH YEAR TO USDA AN  
ANNUAL PAYMENT OF \$11,755 AND \$2,623